

CHAPTER NO. 49

SENATE BILL NO. 311

By Ford

Substituted for: House Bill No. 233

By Bowers

AN ACT To amend Tennessee Code Annotated, Title 68, Chapter 30, relative to reciprocal agreements for sharing organs with other states.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 30, Part 1, is amended by adding the following new language as a new, appropriately designated section:

Section _____. (a) An organ procurement agency operating in Tennessee may enter into reciprocal agreements for the sharing of organs with qualified organ procurement organizations or agencies in other states that the organ procurement agency considers advisable, necessary, or expedient. However, before such organ procurement agency enters into a reciprocal agreement, the proposed agreement must be approved by the united network for organ sharing or its successor as determined by the United States Department of Health and Human Services or the Health Care Financing Administration.

(b) Except as may otherwise be provided for by an agreement entered into pursuant to subsection (a), the organ procurement agency operating in Tennessee may only transfer an organ to an out-of-state organ procurement organization or agency or suitable out-of-state recipient for transplantation if a suitable recipient listed at a Tennessee transplant center cannot be identified in a reasonable amount of time.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: March 18, 1999


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 31st day of March 1999


DON CONQUIST, GOVERNOR